

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE:

JENNIFER MAGNY,

DEBTOR.

CHAPTER 13
CASE NO. 19-14296 FJB

**RESPONSE TO CHAPTER 13 TRUSTEE'S OBJECTION
TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Jennifer Magny (the "Debtor") responds to the Chapter 13 Trustee's Objection to the Confirmation of the Debtor's Chapter 13 Plan (the "Objection") as follows:

1. The Debtor admits the allegations in Paragraph 1 of the Objection.
2. The Debtor admits the allegations in Paragraph 2 of the Objection.
3. The Debtor admits the allegations in Paragraph 3 of the Objection.
4. The Debtor denies the allegations in Paragraph 4 of the Objection.
5. The Debtor admits the allegations in Paragraph 5 of the Objection and the Debtor will amend Schedules A and C.
6. The Debtor denies the allegations in Paragraph 6 of the Objection as they were not creditors of the Debtor. The Debtor was allowed access to her mother's credit cards and Citicard and Discover were filed as creditors but filed no claim. Nordstrom was a single charge under \$100.
7. The Debtor claimed a gross income in both schedule I and Form 122 of \$4,000 a month and in fact had a less gross income. As reflected in her bank statements, she had gross income of \$379.09 for December 10-17, 2019, \$4,860.87 from December 10 to November 10, \$2,688.13 from November 9 to October 9, and \$3,671.22 from September 8 to October 9, 2019.
8. The Debtor denies the allegations in paragraph 8 of the Objection.
9. The Debtor will file an amended plan. On one hand, the Debtor had an unprecedented increase in income in the first three months of 2020 which is unfortunately over. On the other hand, her income going forward is likely to be less than pre-petition due to COVID-19 as the Debtor is in a person to person business; she sells disability insurance, life insurance and works as a real estate broker. Accordingly, the Debtor will seek to determine how much of

the short term burst of income can be paid to creditors while allowing her to make payments under her chapter 13 Plan.

WHEREFORE, Jennifer Magny respectfully requests that this Court:

- a. deny the Objection to Confirmation of Plan; and
- b. for such other relief as this Court deems just and proper.

Jennifer Magny,
By her counsel,

Dated: June 10, 2020

/s/ Herbert Weinberg
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Response to Objection to Confirmation of Chapter 13 Plan was this day sent, by mailing, first class mail, postage prepaid, or through the Court's ECF systems to the following:

Jennifer Magny
20 Mercier Avenue
Dorchester, MA 02124

John Fitzgerald
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Signed under the penalties of perjury this 10th day of June, 2020.

/s/ Herbert Weinberg
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